

House File 716 - Reprinted

HOUSE FILE 716

BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO HSB 245)

(As Amended and Passed by the House May 1, 2023)

A BILL FOR

1 An Act relating to elections, including primary elections,
2 political party caucuses, updates to the statewide voter
3 registration system, and costs of preparing lists of voters.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 43.75, Code 2023, is amended to read as
2 follows:

3 **43.75 Tie vote.**

4 1. In case of a tie vote resulting in no nomination for any
5 office, except for senator or representative in the general
6 assembly, the tie shall forthwith be determined by lot by the
7 board of canvassers.

8 2. In case of a tie vote resulting in no nomination for a
9 senator or representative in the general assembly, the party
10 precinct committee members whose precincts lie within the
11 senatorial or representative district involved shall select the
12 winning candidate from among the candidates having received the
13 equal and highest number of votes. The state party chairperson
14 shall convene or reconvene such party precinct committee
15 members as appropriate. The party's state constitution
16 or bylaws may allow the voting strength of each precinct
17 represented at such a convention to be made proportionate
18 to the vote cast for the party's candidate for the office
19 in question in the respective precincts at the last general
20 election for that office.

21 Sec. 2. Section 43.4, subsection 3, Code 2023, is amended
22 to read as follows:

23 3. When the rules of a political party require the selection
24 and reporting of delegates selected as part of the presidential
25 nominating process, or the rules of a political party require
26 the tabulation and reporting of the number of persons attending
27 the caucus favoring each presidential candidate, it is the
28 duty of a person designated as provided by the rules of that
29 political party to report the results of the precinct caucus
30 as directed by the state central committee of that political
31 party. When the person designated to report the results of
32 the precinct caucus reports the results, representatives of
33 each candidate, if they so choose, may accompany the person
34 as the results are being reported to assure that an accurate
35 report of the proceedings is reported. If ballots are used

1 at the precinct caucus, representatives of each candidate or
 2 other persons attending the precinct caucus may observe the
 3 tabulation of the results of the balloting. If the state
 4 central committee of a political party chooses to select its
 5 delegates as a part of the presidential nominating process
 6 at political party precinct caucuses on the date provided in
 7 subsection 1, the precinct caucuses shall take place in person
 8 among the participants physically present at the location of
 9 each precinct caucus.

10 Sec. 3. Section 43.91, Code 2023, is amended to read as
 11 follows:

12 **43.91 Voter at caucus — qualifications.**

13 1. Any person voting at a precinct caucus must be a person
 14 who is or will by the date of the next general election become
 15 an eligible elector, who has not already participated in the
 16 caucus of any political party within the same year, and who is
 17 a resident of the precinct. A list of the names and addresses
 18 of each person to whom a ballot was delivered or who was
 19 allowed to vote in each precinct caucus shall be prepared by
 20 the caucus chairperson and secretary who shall certify such
 21 list to the commissioner at the same time as the names of
 22 those elected as delegates and party committee members are so
 23 certified.

24 2. Notwithstanding subsection 1, the state central
 25 committee of each political party may set rules for
 26 participation in or voting at a precinct caucus, including but
 27 not limited to voter registration requirements.

28 Sec. 4. Section 47.7, subsection 3, Code 2023, is amended by
 29 striking the subsection.

30 Sec. 5. Section 48A.38, Code 2023, is amended by adding the
 31 following new subsection:

32 NEW SUBSECTION. 4. The registrar may adjust the cost of
 33 preparation imposed pursuant to subsection 1 to reflect the
 34 costs of processing a credit card payment by an amount not to
 35 exceed the cost of processing the credit card payment.